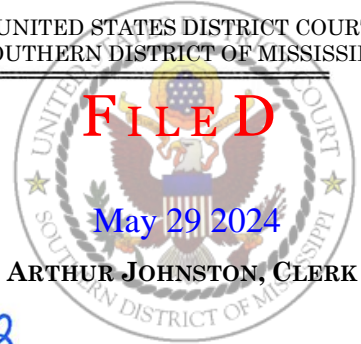


UNITED STATES DISTRICT COURT
for the
Southern District of Mississippi



ARTHUR JOHNSTON, CLERK

United States of America)
v.)
JOSE MANUEL CRISTOBAL-JOAQUIN)
a/k/a Jose Cristobal-Joaquin)
a/k/a Jose Manuel Cristobal)
a/k/a Jose Joaquin)

Case No. 1:24mj-552

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 24, 2024 in the county of Jackson in the
Southern District of MS, Southern Division, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. §§ 1326(a) and (b)(1)	Unlawful Return of an Alien Deported or Removed After Conviction of a Felony

This criminal complaint is based on these facts:

See Affidavit, which is attached hereto and incorporated by reference herein.

☒ Continued on the attached sheet.

Complainant's signature

Thomas B. Bailey, Jr., Deportation Officer, DHS/ICE/ERO

Printed name and title

Sworn to before me and signed in my presence.

Date: 5-29-2024
*Judge's signature*City and state: Gulfport, Mississippi

Robert P. Myers Jr., United States Magistrate Judge

Printed name and title

AFFIDAVIT

SOUTHERN DISTRICT OF MISSISSIPPI

I, Thomas B. Bailey, Jr., being first duly sworn, hereby depose and say that:

1. I am a law enforcement officer of the United States Department of Homeland Security (DHS). Specifically, I am a Deportation Officer of Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), currently located at ICE/ERO office in Gulfport, Mississippi. I have been a Deportation Officer since on or about September 20, 2015. As part of my official duties, I am assigned to investigate violations of the immigration laws of the United States as well as other federal statutes.

SUMMARY OF PROBABLE CAUSE

2. This affidavit submits that there is probable cause to issue a complaint against Jose Manuel Cristobal-Joaquin for violating Title 8, United States Code, Section 1326(a) and (b)(1) – Unlawful Re-entry by an Alien Deported or Removed After Conviction of a Felony.

3. On or about May 24, 2024, during Criminal Alien Program duties at the Jackson County Adult Detention Center, a Deportation Officer was notified by Jackson County Officials and arrested Jose Manuel Cristobal-Joaquin, an illegal alien from Mexico, who was being held there by local officials for Driving Under-the-Influence (DUI), no driver's license, and no proof of insurance. The charges are currently pending. Cristobal-Joaquin was turned over to an Immigration Officer and transported to the Gulfport, Mississippi, ICE office, to complete arrest processing by Deportation Kyle Le.

4. Additionally Cristobal-Joaquin was arrested in or about 2013 for domestic violence (dismissed), in or about 2015 for DUI with related traffic offenses (convicted) and, in or about 2018, he was arrested for DUI (convicted). In or about 2019, he was arrested for felony Possession of a Controlled Substance – Cocaine (pending), and also was arrested for felony Illegal Re-entry of a Removed Alien (convicted). In or about 2020, Cristobal-Joaquin was arrested for Trespassing (pending), and in or about 2022 he was arrested for DUI (pending). Finally, in or about 2024, he was arrested for Public Drunkenness and for Disorderly Conduct (pending) and, on a separate date in or about 2024, he was arrested for DUI, for No Driver's License and for No Insurance (pending).

5. Cristobal-Joaquin's fingerprints were scanned by computer, and a positive match via federal law enforcement databases identified Cristobal-Joaquin as an alien previously deported or removed in or about 2018 and 2019. Cristobal-Joaquin was detained without bond, pending removal. While Jose Manuel Cristobal-Joaquin has been identified as the ICE primary/official name for this subject, he also has had the following aliases or name variations attributed to him: Jose Cristobal-Joaquin; Jose Joaquin; and Jose Manuel Cristobal.

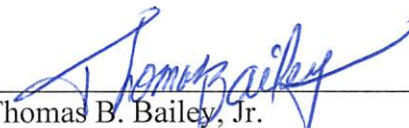
6. The investigation revealed that an Immigration Judge (IJ) ordered Cristobal-Joaquin removed on or about January 24, 2018. Cristobal-Joaquin filed an application for asylum in 2018 which

was denied. Thereafter, he filed a Notice of Appeal with the Bureau of Immigration Appeals on or about February 15, 2018. However, on or about October 22, 2018, the appeal was withdrawn. Cristobal-Joaquin was subsequently removed from the United States pursuant to the prior IJ order on or about November 2, 2018.

7. Cristobal-Joaquin subsequently illegally re-entered the United States without inspection, and was arrested by ICE agents on or about May 29, 2019. The original order of removal was reinstated and, on or about July 16, 2019, Cristobal-Joaquin was convicted of the felony offense of illegal re-entry of a previously removed alien, in violation of Title 8, United States Code, Section 1326(a). After his conviction, he was physically removed from the United States on or about November 5, 2019.


8. Records also revealed that Cristobal-Joaquin had not received permission from the Attorney General of the United States or from the Secretary of Homeland Security, prior to re-entering the United States.

9. WHEREFORE, there is probable cause that when the defendant, Jose Manuel Cristobal-Joaquin, was apprehended in Jackson County, Mississippi, and is in violation of Title 8, United States Code, Section 1326(a) and (b)(1) – Unlawful Re-entry by an Alien Deported or Removed After Conviction of a Felony. Your affiant prays that a warrant be issued for the arrest of the above-named individual.



Thomas B. Bailey, Jr.
Deportation Officer
Immigration and Customs Enforcement
U.S. Department of Homeland Security

Sworn to and subscribed before me this, the 29th day of May, 2024.



United States Magistrate Judge